

United States District Court
For the Northern District of California

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

OSVALDINA LIMA,

Plaintiff,

v.

WACHOVIA MORTGAGE
CORPORATION, aka Wachovia
Mortgage Federal Savings Bank, a
Delaware Corporation, CAL-
WESTERN RECONVEYANCE
CORPORATION, a California
Corporation, and DOES 1 through 20,

Defendants.

NO. C09-04798 TEH

ORDER ENLARGING TIME
AND ORDER TO SHOW CAUSE

The Court is in receipt of Plaintiff's Memorandum in Opposition to Motion to Dismiss, filed on December 1, 2009. The Notice of Motion and Motion to Dismiss Complaint was filed by Defendant Wachovia Mortgage, FSB ("Wachovia") on November 4, 2009, and noticed for hearing on December 14, 2009. The Civil Local Rules of the Northern District of California require that any opposition to a motion "be served and filed not less than 21 days before the hearing date," and that any reply "be served and filed by the moving party not less than 14 days before the hearing date." N.D. Cal. Civil L.R. 7-3(a), (c). Plaintiff's Opposition was filed eight days after the November 23, 2009 deadline, and one day after the date on which Wachovia was required to file its Reply. This is not the first time

1 Plaintiff has failed to timely file papers in this action. Plaintiff's Motion for Preliminary
2 Injunction was similarly filed three days after the November 2, 2009 deadline set by this
3 Court in its October 21, 2009 Order.

4 To ensure that Wachovia is not prejudiced by Plaintiff's failure to timely file her
5 Opposition, the Court hereby enlarges the time for Wachovia to file its Reply. Wachovia's
6 Reply shall be filed no later than Monday, December 7, 2009.

7 It is further ordered that at the hearing on December 14, 2009, counsel for Plaintiff
8 shall show cause why monetary sanctions should not be imposed by the Court for counsel's
9 failure to comply with the Local Rules and this Court's orders regarding filing dates. Any
10 written response to this show cause order shall be filed on or before Thursday, December 10,
11 2009.

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13 **IT IS SO ORDERED.**

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15 Dated: 12/3/09



16 THELTON E. HENDERSON, JUDGE
17 UNITED STATES DISTRICT COURT
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